

Remarks/Arguments:

As a preliminary matter, applicant wishes to bring to the Examiner's attention and confirming the same information given verbally to the Examiner in an earlier phone call that the subject application is a parent of a related application having Serial Number 09/694,050 and a filing date of October 20, 2000.

Reconsideration is respectfully requested of the rejection of claims 1-34, 45 and 46 under §112, second paragraph, as being indefinite for use of the phrase "virtually without human intervention". With this amendment that phrase has been eliminated from the claims as being redundant. The rejection should now be withdrawn as the offending phrase is gone.

Reconsideration is respectfully requested of the rejection of claims 1-46 under §103 as being obvious over Goheen US Pat. No. 6,094,640 in view of Mittal US Pat. No. 6,233,609. Goheen describes a method and system of issuing an electronic authorization and validation for pre-scheduled and also pre-paid activities. In essence, the Goheen system and method is a "once and done" type of arrangement and is intended to be merely a substitute for a paper ticket by providing a plastic ID card. But, a passenger does not get the plastic card without first calling in and paying for the flight. Furthermore, Goheen's arrangement teaches that personal interaction between the purchaser and the flight information reservation center is required to use the system both for making the initial reservation and should any change to that reservation be required. To make any change, should the passenger miss the flight or just desire to change his flight plan, he must re-call the reservation center.

The system described to implement this method is shown in Fig. 3 and includes a central computer 10 which is operated by the personnel manning the flight reservation center. An ATM device, which is used merely to one-way communicate flight information such as "directions and information concerning the flight, where to go for baggage check-in, what gate to go to for the flight itself" is connected to the central computer. See col. 5, lines 42-44. Also, a "mobile airline communications system 15" is in wireless communication with the central computer, but it is not used by the passenger or the authorized purchaser of flight services, and instead is manned by airline personnel. The passenger is required to hand the plastic ID card to the airline personnel and it is swiped through a magnetic card reader of the communications system 15 to verify and validate "that the passenger has a reservation on that particular flight

and that the payment has been made for the flight." This information is one-way communicated to the central computer. See col. 5, lines 52, 61. This is noted as a "key element" of the system at col. 6, line 38. Most importantly for present purposes however is that the Goheen system and method teach an arrangement with only one central computer, programmed with software in accordance with the flow chart of Fig. 1A, B, and that the other two devices connected to it are used merely for one way data entry or one-way data broadcast with no device providing functional two way communication or interactive communication with the central computer.

These shortcomings of the Goheen reference are acknowledged by the Examiner on page 4 of the Office Action. To fill in the blanks for these shortcomings, the Office suggests that one of ordinary skill in the art would combine its teachings with the Mittal reference. However, Mittal teaches a method and system for providing a GUI interface over a WAN to a user to access a "knowledge base" to "select and order a product or service offered by the enterprise" without being required to download the knowledge base or software to configure the knowledge base". Mittal does not teach any substantive modification to the "knowledge base" or ordering system or method of the enterprise. Instead, Mittal seeks to provide a universal interface which may be used with "knowledge bases" expressed in object models translated into ASCII format. As noted at col. 4, lines 26-30, "the incorporation of a human readable, ASCII format into the knowledge base process allows for the transporting of the associated information across different computer platforms as well as allowing for the use of differing languages." Thus, Mittal does not teach any system or method for adding functionality to the underlying ordering system but instead facilitates its access through a GUI interface over the internet.

Should one of ordinary skill in the art combine these two references, and it is noted that the Office has not pointed to any specific portion of either reference which provides any motivation to combine them, he would be puzzled as to how to do that. The first and most obvious combination would be to use the Mittal GUI/internet interface to substitute for the personal interaction required between the authorized purchaser and the flight reservations personnel. That is what Mittal's mission in life is, as a GUI/internet interface to permit a purchaser to "select and order a product or service offered by the enterprise". One could argue that this would allow a user to submit the initial placement of the reservation. However, as

explained above, the Goheen method is a "once and done" pre-paid type of ordering system which does not provide any capability for managing the rental reservation after it is placed. Instead, a plastic ID card is issued after payment which allows the purchaser to physically be verified and the reservation be validated upon the user's request for fulfillment of the services. Mittal does not add any functionality for further processing of the reservation. And, there is no flow of information or data in a bi-directional way, or which provides functional interactivity in the Goheen system. Nor is there any between the Mittal client 133 and the server 137. So, if one of ordinary skill would combine these references, one would be left with an internet ordering site similar to Travelocity, or Orbitz, or the like, at best.

The claimed invention is patentably distinct over this combination of prior art, despite the fact that there is no objective teaching or motivation to combine them. For example, claim 1 recites that there is a bi-directional communication between the authorized purchaser and the rental vehicle software program, and that the reservation is communicated to a second software program for fulfillment, and further that the system is configured to allow user management of the reservation. None of these capabilities are provided by the prior art combination. Neither reference discloses or suggests bi-directional communication: Goheen merely accepts the users order through reservations personnel; Mittal merely places an order after downloading and configuring the knowledge base. Neither reference discloses two different software programs, one for order entry and management and the other for fulfillment: Goheen has a single central computer connected to two different data entry/receiving devices; Mittal's client downloads the user interface from the server to run. Neither reference allows a user to manage the order or reservation including authorizing, processing and billing: Goheen uses a pre-paid system allowing only for pre-payment and then fulfillment, with the additional ability to permit a user to cancel or re-book the entire reservation manually; Mittal provides solely for order placement with no administrative control over the fulfillment process.

Other independent claims have similar limitations all of which distinguish them over the cited prior art as explained above. For these reasons, the claimed invention is fully patentable over the cited prior art, even if it should be combined.

Applicant hereby respectfully requests a personal interview to further explain the invention, and the differences between the invention and the prior art. Accordingly, applicant's

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undersigned representative shall call the Examiner to arrange for a mutually convenient time for that personal interview.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Haferkamp', is written over a horizontal line. A long, sweeping checkmark is drawn to the right of the signature.

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